

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

**FORTY-SEVENTH LEGISLATIVE DAY  
FRIDAY, FEBRUARY 26, 2016**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent – Burtenshaw, Chew, Sims, Thompson. Total – 4.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Rebecca Georgeson,  
Page.

### 3RD ORDER

#### Approval of Journal

February 26, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-sixth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

February 25, 2016

Mr. Speaker:

I return herewith enrolled [HCR 31](#) which has been signed by the President.

NOVAK, Secretary

Enrolled [HCR 31](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

February 25, 2016

Mr. Speaker:

I transmit herewith [SCR 147](#), [S 1257](#), [S 1237](#), [S 1238](#), [S 1239](#), [S 1340](#), [S 1212](#), and [S 1339](#) which have passed the Senate.

NOVAK, Secretary

[SCR 147](#), [S 1257](#), [S 1237](#), [S 1238](#), [S 1239](#), [S 1340](#), [S 1212](#), and [S 1339](#) were filed for first reading.

February 25, 2016

Mr. Speaker:

I return herewith [HCR 42](#) and [HCR 30](#) which have passed the Senate.

NOVAK, Secretary

[HCR 42](#) and [HCR 30](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

February 26, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 46](#), [HCR 47](#), [HJR 4](#), [H 536](#), and [H 537](#).

WILLS, Chairman

[HCR 46](#) and [HCR 47](#) were filed for second reading.

[HJR 4](#) was referred to the State Affairs Committee.

[H 536](#) was referred to the Transportation and Defense Committee.

[H 537](#) was referred to the Education Committee.

February 26, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 352](#), [H 359](#), [H 360](#), and [H 376](#) to the Governor at 11:10 a.m., as of this date, February 25, 2016.

WILLS, Chairman

February 25, 2016

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 516](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 516](#) was filed for second reading.

February 25, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [H 504](#), [H 508](#), and [H 528](#) and recommend that they do pass.

WILLS, Chairman

[H 504](#), [H 508](#), and [H 528](#) were filed for second reading.

February 25, 2016

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 485](#) and [H 501](#) and recommend that they do pass.

HARTGEN, Chairman

[H 485](#) and [H 501](#) were filed for second reading.

February 25, 2016

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 509](#) and [SJM 104](#) and recommend that they do pass.

RAYBOULD, Chairman

[H 509](#) and [SJM 104](#) were filed for second reading.

February 26, 2016

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, return misdirected [S 1318](#) to the Desk.

BARBIERI, Chairman

[S 1318](#) was referred to Commerce and Human Resources Committee.

There being no objection, the House advanced to the Seventh Order of Business.

### 7TH ORDER

#### Motions, Memorials, and Resolutions

House of Representatives  
State of Idaho

February 23, 2016

The Honorable Neil Anderson, Vice Chairman  
Commerce and Human Resources Committee

Dear Representative Anderson:

I hereby designate the Commerce and Human Resources Committee a privileged committee on Thursday, February 25, 2016, for the purpose of introducing RS 24472 (HCR 48) and RS 24482 (H 538).

Sincerely,  
/s/ Scott Bedke  
Speaker of the House

#### HOUSE CONCURRENT RESOLUTION NO. 48 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF ISSUES RELATING TO PUBLIC PROCUREMENT AND TO MAKE RECOMMENDATIONS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the First Regular Session of the Sixty-third Idaho Legislature adopted House Concurrent Resolution No. 23, which authorized the appointment of a committee to undertake and complete a study of the purchasing laws of the State of Idaho and to make recommendations; and

WHEREAS, the committee, having conducted the study, has proposed legislation reorganizing and revising the purchasing laws into a State Procurement Act for purposes of modernization and clarification; and

WHEREAS, the committee's term has expired; and

WHEREAS, it is the opinion of the committee that several issues in public procurement require further study, including, but not limited to, the appeals process for the Division of Purchasing, ethics in procurement, information technology contracts, and provisions of law relating to multiple contract awards, public works construction, purchasing by political subdivisions and void contracts.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein,

that the Legislative Council is authorized to appoint a committee to undertake and complete a study of issues relating to public procurement. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the co-chairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Sixty-fourth Idaho Legislature.

#### HOUSE CONCURRENT RESOLUTION NO. 49 BY STATE AFFAIRS COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE IDAHO WHEAT COMMISSION RELATING TO RULES OF THE IDAHO WHEAT COMMISSION.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho Wheat Commission relating to Rules of the Idaho Wheat Commission are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 42.01.01, the Idaho Wheat Commission, Rules of the Idaho Wheat Commission, proposed amendments to codified Section 301., including Subsections 01., 02. and 03., adopted as pending rules under Docket Number 42-0101-1501, only, be, and the same are hereby rejected and declared null, void and of no force and effect.

[HCR 48](#) and [HCR 49](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[SCR 147](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 538 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

##### AN ACT

RELATING TO STATE PROCUREMENT; REPEALING SECTIONS 67-5714 THROUGH 67-5721, IDAHO CODE, RELATING TO STATE PURCHASING; REPEALING SECTIONS 67-5723 THROUGH 67-5732, IDAHO CODE, RELATING TO STATE PURCHASING; REPEALING SECTIONS 67-5733 THROUGH 67-5736, IDAHO CODE,

RELATING TO STATE PURCHASING; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 92, TITLE 67, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DECLARE POLICY, TO DEFINE TERMS, TO ESTABLISH THE DIVISION OF PURCHASING IN THE DEPARTMENT OF ADMINISTRATION AND TO PROVIDE FOR APPOINTMENT OF AN ADMINISTRATOR, TO PROVIDE POWERS AND DUTIES OF THE ADMINISTRATOR, TO PROVIDE REQUIREMENTS FOR DELEGATION OF THE ADMINISTRATOR'S AUTHORITY, TO REQUIRE CERTAIN TRAINING AND TO PROVIDE THAT THE ADMINISTRATOR SHALL ESTABLISH TRAINING, TO ESTABLISH PROVISIONS REGARDING SOLICITATIONS OF PROPERTY, TO PROVIDE FOR COMPETITIVE BIDS, TO PROVIDE REQUIREMENTS FOR THE AWARD OF CONTRACTS, TO PROVIDE FOR MULTIPLE AWARDS OF CONTRACTS, TO PROVIDE THAT CONTRACTS SHALL BE IN WRITING, TO PROVIDE THAT CERTAIN CONTRACTS ARE VOID, TO PROVIDE REQUIREMENTS FOR THE ACCEPTANCE OF PROPERTY, TO PROVIDE FOR THE PRESERVATION AND DISCLOSURE OF CERTAIN RECORDS, TO ESTABLISH PROVISIONS REGARDING OPEN CONTRACTS, TO PROVIDE FOR DISQUALIFICATION OF VENDORS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR PAYMENT OF CONTRACTORS, TO PROVIDE FOR CONTRACT OVERSIGHT, TO ESTABLISH PROVISIONS REGARDING PROPERTY INVENTORIES, TO PROVIDE FOR NONCOMPETITIVE AND EMERGENCY PROCUREMENTS UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH PROVISIONS REGARDING NONOWNED PROPERTY ACQUISITIONS, TO PROVIDE FOR THE EXCHANGE OF STATE PROPERTY, TO AUTHORIZE GROUP DISCOUNT PURCHASING UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR PROCUREMENT BY STATE INSTITUTIONS OF HIGHER EDUCATION, TO PROVIDE THAT CERTAIN EMPLOYEES SHALL OBTAIN DISCOUNTS WHEN POSSIBLE, TO EXEMPT CONTRACTS WITH THE FEDERAL GOVERNMENT FROM CERTAIN PROVISIONS, TO PROVIDE FOR ACQUISITION OF PROPERTY ACCORDING TO THE TERMS OF A FEDERAL SUPPLY SCHEDULE CONTRACT, TO CLARIFY THE APPLICATION OF THE ADMINISTRATIVE PROCEDURE ACT, TO ESTABLISH PROHIBITIONS, TO PROVIDE PENALTIES, TO ESTABLISH PROVISIONS REGARDING CHALLENGES AND APPEALS, TO ESTABLISH PROVISIONS REGARDING ETHICS IN PROCUREMENT AND TO PROVIDE SEVERABILITY; AMENDING SECTION 18-1359, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-125B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2503, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-3406, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-5402, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-5504, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-130, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2013, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE;

AMENDING SECTION 60-103, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 67-455A, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 67-5711C, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5711D, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-5722, IDAHO CODE, TO REMOVE LANGUAGE REGARDING EXCHANGE OF STATE PROPERTY; AMENDING SECTION 67-5737, IDAHO CODE, TO REMOVE A CODE REFERENCE AND TO REVISE TERMINOLOGY; AMENDING SECTION 67-7451, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 74-511, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

**HOUSE BILL NO. 539**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO RECREATIONAL PARK TRAILERS; AMENDING SECTION 39-4201, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-4202, IDAHO CODE, TO PROVIDE REFERENCES TO RECREATIONAL PARK TRAILERS; AMENDING SECTION 39-4203, IDAHO CODE, TO PROVIDE REFERENCES TO RECREATIONAL PARK TRAILERS; AMENDING SECTION 49-104, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-117, IDAHO CODE, TO REMOVE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-119, IDAHO CODE, TO DEFINE A TERM, TO REVISE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-121, IDAHO CODE, TO REMOVE A DEFINITION AND TO DEFINE A TERM; AMENDING SECTION 49-410, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 49-501, IDAHO CODE, TO PROVIDE THAT CERTAIN TITLING REQUIREMENTS APPLY TO CERTAIN RECREATIONAL PARK TRAILERS; AMENDING SECTION 55-2003, IDAHO CODE, TO REVISE A DEFINITION, TO REMOVE A DEFINITION, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 55-2004, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING CHAPTER 3, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-318, IDAHO CODE, TO PROVIDE THAT CERTAIN RECREATIONAL PARK TRAILERS CONSTITUTE PERSONAL PROPERTY; AMENDING SECTION 63-602KK, IDAHO CODE, TO PROVIDE THAT A CERTAIN EXEMPTION FROM PERSONAL PROPERTY TAX SHALL NOT APPLY TO RECREATIONAL PARK TRAILERS; AMENDING SECTION 63-3022A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3606C, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING NEW RECREATIONAL PARK TRAILERS; AMENDING SECTION 63-3613, IDAHO CODE, TO REVISE AND TO ESTABLISH PROVISIONS REGARDING SALES PRICE; AMENDING SECTION 63-3622HH, IDAHO CODE, TO PROVIDE THAT A CERTAIN PRODUCTION EXEMPTION DOES NOT APPLY TO RECREATIONAL PARK TRAILERS,

TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING SEVERABILITY.

**HOUSE BILL NO. 540**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO SALES TAX EXEMPTIONS; AMENDING SECTION 63-3622GG, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM THE SALES AND USE TAX FOR THE SALE, LEASE, PURCHASE OR USE OF FIXED-WING AIRCRAFT PRIMARILY USED AS AN AIR TACTICAL GROUP SUPERVISOR PLATFORM UNDER CONTRACT WITH A GOVERNMENTAL ENTITY FOR WILDFIRE ACTIVITY; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 541**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO EXCLUSIONS FROM THE LOCAL GOVERNMENT PURCHASING LAW; AMENDING SECTION 67-2803, IDAHO CODE, TO PROVIDE AN EXCLUSION FOR THE ACQUISITION OF PERSONAL PROPERTY OR SERVICES THROUGH CONTRACTS ENTERED INTO BY THE DIVISION OF PURCHASING OF THE DEPARTMENT OF ADMINISTRATION OF THE STATE OF IDAHO.

**HOUSE BILL NO. 542**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PUBLICATION OR DISTRIBUTION OF POLITICAL STATEMENTS; AMENDING SECTION 67-6614A, IDAHO CODE, TO PROVIDE THAT WHENEVER ANY PERSON MAKES AN EXPENDITURE FOR THE PURPOSE OF FINANCING COMMUNICATIONS EXPRESSLY ADVOCATING THE ELECTION, APPROVAL OR DEFEAT OF A PERSON STANDING FOR ELECTION TO THE POSITION OF PRECINCT COMMITTEEMAN THROUGH ANY BROADCASTING STATION, NEWSPAPER, MAGAZINE, OUTDOOR ADVERTISING FACILITY, DIRECT MAILING OR ANY OTHER TYPE OF GENERAL PUBLIC POLITICAL ADVERTISING, THE PERSON RESPONSIBLE FOR SUCH COMMUNICATION SHALL BE CLEARLY INDICATED ON SUCH COMMUNICATION AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 543**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE IDAHO WOMEN'S COMMISSION; REPEALING CHAPTER 60, TITLE 67, IDAHO CODE, RELATING TO THE IDAHO WOMEN'S COMMISSION IN THE OFFICE OF THE GOVERNOR.

**HOUSE BILL NO. 544**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PROHIBITED ACTS REGARDING ALCOHOL BEVERAGE LAWS; AMENDING SECTION 23-614, IDAHO CODE, TO PROVIDE THAT THE SHOWING OF FILMS, STILL PICTURES, ELECTRONIC REPRODUCTIONS, OR OTHER VISUAL REPRODUCTIONS WHICH ARE IN VIOLATION OF STATE INDECENCY AND OBSCENITY LAWS OR ARE IN VIOLATION OF FEDERAL

LAW REGARDING PORNOGRAPHY, INDECENCY OR OBSCENITY IS PROHIBITED IN OR UPON PREMISES LICENSED PURSUANT TO TITLE 23, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 538](#), [H 539](#), [H 540](#), [H 541](#), [H 542](#), [H 543](#), and [H 544](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1257](#), by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

[S 1237](#), [S 1238](#), [S 1340](#), and [S 1339](#), by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1239](#), by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Environment, Energy, and Technology Committee.

[S 1212](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[HCR 44](#) and [HCR 45](#), by Education Committee, were read the second time by title and filed for third reading.

[H 532](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[H 496](#), by Local Government Committee, was read the second time by title and filed for third reading.

[H 524](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

[H 498](#) and [H 500](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[H 515](#) and [H 527](#), by Education Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

**12TH ORDER**  
**Consideration of General Orders**

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Crane in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

**Report of the Committee of the Whole House**

February 26, 2016

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [H 525](#) and report it back without recommendation, amended as follows:

**HOUSE AMENDMENT TO H.B. NO. 525****AMENDMENT TO SECTION 4**

On page 2 of the printed bill, delete lines 43 through 45, and insert:

"(2) A petition for a court to declare a dog dangerous or at-risk may be brought by:

- (a) Any person who has been bitten or physically attacked by the dog;
- (b) A parent or guardian of any minor who has been bitten or physically attacked by the dog; or
- (c) A county or city prosecuting attorney.

In such proceedings, it is not necessary for the petitioner".

On page 4, following line 41, insert:

"(10) Any dog that physically attacks, wounds, bites or otherwise injures any person who is not trespassing, when such dog is not physically provoked or otherwise justified pursuant to subsection (3) of this section or as set forth in section 25-2808, Idaho Code, subjects either its owner or any person who has accepted responsibility as the possessor, harbinger or custodian of the dog, or both, to civil liability for the injuries caused by the dog. A prior determination that a dog is dangerous or at-risk, or subject to any court order imposing restrictions or requirements pursuant to the provisions of this section, shall not be a prerequisite to civil liability for injuries caused by the dog."

**CORRECTION TO TITLE**

On page 1, in line 13, delete "AND" and insert: ","; also in line 13, following "DOG" insert: "AND TO PROVIDE THAT CERTAIN PERSONS SHALL BE SUBJECT TO CIVIL LIABILITY".

We have also had under consideration [H 413](#), [H 477](#), [H 443](#), [H 406](#), and [H 513](#), report progress and beg leave to sit again.

CRANE, Chairman

Mr. Crane moved that the report be adopted. Seconded by Mr. Rusche.

Whereupon the Speaker declared the report adopted.

[H 525](#), as amended, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

[H 413](#), [H 477](#), [H 443](#), [H 406](#), and [H 513](#) were retained on General Orders.

The amendment was referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

**11TH ORDER****Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [HCR 41](#) retain its place on the Third Reading Calendar until Friday, March 4, 2016. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [H 481](#) retain its place on the Third Reading Calendar until Monday, February 29, 2016. There being no objection, it was so ordered.

**[H 331](#), as amended - ALCOHOLIC BEVERAGES**

[H 331](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall [H 331](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bateman, Bell, Beyeler, Clow, Collins, Crane, Dayley, DeMordaunt, Gannon, Gibbs, Hartgen(Hartgen), Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, Miller, Moyle, Nye, Packer, Pence, Raybould, Romrell, Rubel, Rudolph, Rusche, Smith, Troy, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 42.

NAYS – Anderst, Barbieri, Batt, Boyle, Chaney, Cheatham, Dixon, Erpelding, Gestrin, Harris, Hixon, Jordan, Kerby, McMillan, Mendive, Monks, Nate, Nielsen, Palmer, Perry, Redman, Scott, Shepherd, Trujillo. Total – 24.

Absent – Burtenshaw, Chew, Sims, Thompson. Total – 4.  
Total – 70.

Whereupon the Speaker declared that [H 331](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 478](#) - PUBLIC RECORDS**

[H 478](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

The question being, "Shall [H 478](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, Loertscher, Luker, Malek, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rudolph, Rusche, Scott, Shepherd, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wood, Youngblood, Mr. Speaker. Total – 59.

NAYS – King, Kloc, McCrostie, Nye, Rubel, Smith, Wintrow. Total – 7.

Absent – Burtenshaw, Chew, Sims, Thompson. Total – 4.  
Total – 70.

Whereupon the Speaker declared that [H 478](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 512](#) - COMMUNITY COLLEGES**

[H 512](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Chaney to open debate.

Mr. Chaney asked unanimous consent that, pursuant to Rule 22, discussion of [H 387](#) be allowed in debate of [H 512](#). There being no objection it was so ordered.

The question being, "Shall [H 512](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin,



Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Smith, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 66.

NAYS – None.

Absent – Burtenshaw, Chew, Sims, Thompson. Total – 4.  
Total – 70.

Whereupon the Speaker declared that [H 512](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 469](#) - NOXIOUS WEEDS

[H 469](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Dayley to open debate.

The question being, "Shall [H 469](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Smith, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 66.

NAYS – None.

Absent – Burtenshaw, Chew, Sims, Thompson. Total – 4.  
Total – 70.

Whereupon the Speaker declared that [H 469](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 499](#) - FOOD

[H 499](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [H 499](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Shepherd, Smith, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 62.

NAYS – Dixon, Nate, Nielsen, Scott. Total – 4.

Absent – Burtenshaw, Chew, Sims, Thompson. Total – 4.  
Total – 70.

Whereupon the Speaker declared that [H 499](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 343](#) - FUELS

[H 343](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

The question being, "Shall [H 343](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Smith, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 66.

NAYS – None.

Absent – Burtenshaw, Chew, Sims, Thompson. Total – 4.  
Total – 70.

Whereupon the Speaker declared that [H 343](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 526](#) - EDUCATION

[H 526](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. VanOrden to open debate.

The question being, "Shall [H 526](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Bateman, Batt, Bell, Beyeler, Boyle, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Shepherd, Smith, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 62.

NAYS – Nate, Scott. Total – 2.

Absent – Barbieri, Burtenshaw, Chew, Hixon, Sims, Thompson. Total – 6.  
Total – 70.

Whereupon the Speaker declared that [H 526](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 497](#) - LOBBYISTS

[H 497](#) was read the third time at length, section by section, and placed before the House for final consideration.

